

March 05, 2021

Affidavit

7:21-MJ-090

CLERK, U.S. DISTRICT CLERK
WESTERN DISTRICT OF TEXAS
BY M. Ramirez
DEPUTY

1. I, Derek Farniok, being duly sworn, hereby state as follows, I have been employed with Homeland Security Investigations since August 4th, 2019. Furthermore, I have completed the Criminal Investigator Training Program at the Federal Law Enforcement Training Center. Prior to Employment with Homeland Security Investigations, the I was employed with the Midland Police Department for Approximately two and a half years as a Patrol Officer and received 704 hours of training from the Permian Basin Law Enforcement Academy. I also possess a bachelor's degree in Criminology from the University of Oklahoma.

2. I am familiar with the facts and circumstances of this investigation as a result of my personal participation in the investigation referred to in this affidavit and information summarized in reports I have reviewed. I have compiled information derived from numerous discussions with experienced law enforcement officers. Since this complaint is being submitted for the limited purpose of establishing probable cause, I have not included each and every fact known by me in the investigation. More specifically, I have set forth only pertinent facts that I believe are necessary to establish probable cause. Based on the facts cited in the body of this affidavit, I believe that probable cause exists that Jeremy BARRERA has violated Title 18 United States Code, Section 2252A(a)(5) & (b)(2), Possession of Child Pornography.

3. On January 25, 2021 Homeland Security Investigations Office of the Resident Agent in Charge executed a federal search warrant at 9907 Lamar Ave, Odessa, Texas, 79765, in regard to an ongoing child exploitation investigation. During the search of the residence a black Iphone belonging to Jeremy BARRERA was seized. The phone was documented on ICE Form 6051 line item 14. The phone was taken to the Special Agent in Charge Office in El Paso, Texas for further examination.

4. The examination of the Iphone was conducted by Computer Forensic Agent Steven Olivanti. A copy of the Cellebrite report was given to Special Agent Farniok for review. During the review of the contents of the cellphone Special Agent Farniok observed multiple videos of child pornography that were stored on the phone. The following are descriptions of a sample of videos observed on the phone.

a. File Name: 2800f6a8-1b46-46ff-87f8-fca62a3fd361

Created: 11/13/2020 5:39:13 PM (UTC-6)

Modified: 11/18/2020 10:55:39 PM (UTC-6)

Accessed: 11/18/2020 10:55:39 PM (UTC-6)

The video shows two prepubescent girls with no top on and breast exposed in their underwear. During the course of the video both prepubescent girls remove their underwear and fully exposing their vaginas to the camera. Both girls are heard speaking an eastern European language. The video is 44 seconds long.

b. File Name: 29ef3a0e-8ee1-42b9-9ace-e3e4a9f67cbd

Created: 11/04/2020 7:56:25 PM (UTC-6)

Modified: 11/08/2020 12:13:18 PM (UTC-6)

Accessed: 11/08/2020 12:13:18 PM (UTC-6)

The video shows a prepubescent girl with light brown hair with an erect male penis in front of her. The prepubescent girl performs oral sex on the male. The male ejaculates into the mouth of the prepubescent girl and the video ends. The video is 1 minute and 6 seconds long.

- c. File Name: C11d3b33-099a-42f8-b354-297d4c688709

Created: 11/05/2020 3:04:58 PM (UTC-6)

Modified: 11/08/2020 12:13:22 PM (UTC-6)

Accessed: 11/08/2020 12:13:22 PM (UTC-6)

The video shows a prepubescent girl in a white shirt with pink heart pattern with no bottom on with vagina and buttocks exposed to the camera. The prepubescent girl is lying on top of a white male with his erect penis between the prepubescent girl's legs and is masturbating to the prepubescent girl.

5. Further inspection of the Cellebrite report uncovered a KIK Messenger messages. During inspection of the messages the online profile with the initials "RJ" was found communicating in multiple chats. One of the online groups was titled #Pizzalife. Multiple videos and images of child pornography. "RJ" is a known internet identity used by Jeremy BARRERA.

6. There were multiple messages located where the RJ was seeking new links to child pornography as well as commenting his approval of posted child pornography. Some of the comments included the use of emoji characters. A sample of the comments are listed below:

- a. Video posted by internet identity TS delivered 11/13/2020 5:39:10 pm (UTC-6).
Description of the video: The video shows two prepubescent girls with no top on and breast exposed in their underwear. During the course of the video both prepubescent girls remove their underwear and fully exposing their vaginas to the camera. Both girls are heard speaking an eastern European language. The video is 44 seconds long.

- i. RJ response messages are listed below.

Delivered: 11/13/2020 5:40:30 pm (UTC-6)

Mmmmm

Delivered: 11/13/2020 5:43:09 pm (UTC-6)

The girl on the left has some good videos out there (message ends with heart eye emoji)

- b. Video Posted by internet identity LK. delivered 11/29/2020 9:36:07 am (UTC-6)
Description of the video: A prepubescent girl in a white shirt with black letters pulled up exposing her breast. Black pants with a white and black elastic band pulled down exposing her vagina and anus. The prepubescent girl is inserting a black cylindrical object into her anus and vagina. The video is 49 seconds long,
- i. RJ response messages are listed below.

Delivered: 11/29/2020 10:08:52 am (UTC-6)

(heart eye emoji)

Delivered: 121/29/2020 10:09:30 am (UTC-6)

Great stuff...!

7. Title 18, United States Code, Section 2252A(a)(5) makes it a crime to knowingly possess, or knowingly access with intent to view...any material that contains an image of child pornography that has been mailed, or shipped or transported using any means or facility of interstate or foreign commerce, or in and affecting interstate or foreign commerce by any means, including by computer, or that was produced using materials that have been mailed or shipped or transported in or affecting interstate or foreign commerce by any means, including by computer.

8. If convicted, Defendant faces a maximum term of imprisonment of 20 years, not less than 5 years and up to life of supervised release, a \$250,000 fine, a \$100 special assessment, a potential \$5,000 JVTA Special Assessment, and a potential \$17,000 AVA Special Assessment.

9. Prosecution authorized by Assistant United States Attorney Shane A. Chriesman

/s/ Derek Farniok
Derek Farniok
Special Agent
Homeland Security Investigations

03/05/2021
Date

Attested to by applicant pursuant to Rule
4.1 of Fed. R. Crim. P. by phone & email.

Sworn to and subscribed before me in my presence on the 5th day of March, 2021.


Ronald C. Griffin
United States Magistrate Judge